

EVALUATION ROADMAP

Roadmaps aim to inform citizens and stakeholders about the Commission's work to allow them to provide feedback and to participate effectively in future consultation activities. Citizens and stakeholders are in particular invited to provide views on the Commission's understanding of the problem and possible solutions and to share any relevant information that they may have.

TITLE OF THE EVALUATION	EVALUATION OF THE URBAN WASTE WATER TREATMENT DIRECTIVE 91/271/EC (UWWTD)
LEAD DG – RESPONSIBLE UNIT	DG ENV UNIT C.2
INDICATIVE PLANNING (PLANNED START DATE AND COMPLETION DATE)	PLANNED START: Q4 2017 PLANNED COMPLETION DATE: Q1 2019
ADDITIONAL INFORMATION	http://ec.europa.eu/environment/water/water-urbanwaste/index_en.html

The Roadmap is provided for information purposes only. It does not prejudice the final decision of the Commission on whether this initiative will be pursued or on its final content. All elements of the initiative described by the document, including its timing, are subject to change.

A. Context, Purpose and Scope of the evaluation

Context

The main objective of the [Urban Waste Water Treatment Directive](#) (UWWTD) 91/271/EEC is to protect the environment from the adverse effects of waste water discharges from urban areas and certain industrial sectors by setting requirements for the collection and treatment of urban waste water. The latest figures show that 95% of the EU's urban waste water is collected and over 85% is treated according to the Directive's requirements. The implementation of the Directive remains challenging¹ as it requires proper governance, significant investments and adequate competences. Acknowledging these challenges, Member States were given ample time for the implementation.² Some (positive) impacts of the Directive's implementation are already known e.g. improvement of the quality of EU waters particularly downstream of the European urbanised zones.¹

In the 25 years of the Directive's existence many changes have occurred, amongst others: increased and new pressures on the environment, depletion of key resources, visible impacts of climate change, changing socio-economic situations, continued scientific and technological progress, increased societal demands for "cleaner waters" and increasing importance of tourism. In addition, the ambition to create a European circular economy has taken concrete shape.

Furthermore, the legal context has changed: new and interrelated water directives have come into force, in particular the [Water Framework Directive](#) (2000/60/EC WFD) and the [Marine Strategy Framework Directive](#) (2008/56/EC MSFD). Moreover, the follow-up of the implementation has shown that certain provisions could be clarified, which was also recently confirmed by the European Court of Auditors.³

Measures under this Directive are essential for the achievement of the objectives of the WFD, and are integrated in the WFD Programmes of Measures as "basic measures". Therefore, the evaluation

¹ [8th report of the implementation of the Directive](#)

² [Timetable of transitional periods and interim targets for the implementation of UWWTD](#)

³ The ECA reports, including the Commission's reply:
<http://www.eca.europa.eu/en/Pages/DocItem.aspx?did=32196>
<http://www.eca.europa.eu/en/Pages/DocItem.aspx?did=35001>
<http://www.eca.europa.eu/en/Pages/DocItem.aspx?did=35757>

of the UWWTD will be closely coordinated with the planned fitness check evaluating the performance of the WFD and the Floods Directive (2007/60/EC)⁴.

Purpose and Scope

The evaluation will assess five criteria: effectiveness, coherence, efficiency, relevance, and EU-added value by analysing the Directive's requirements and implementation in the last 25 years in the entire EU⁵. The findings of the evaluation will feed into the Commission's reflection on possible further action. The list of questions below is non-exhaustive but outlines the direction of the evaluation.

The **effectiveness** check will investigate the following: In how far have the set objectives been achieved and to what extent is the intervention logic of the Directive still appropriate? To what extent are the provisions of the Directive translated into concrete, appropriate and clear requirements? What are the main barriers to full implementation? To what extent are the main targeted pollutants collected and treated in an effective way? To what extent is the Directive achieving the polluter pays principle? How well does the Directive promote a sustainable approach, for example for phosphorus and nitrogen recycling, for treatment plants to be neutral from energy/GHG emissions? To what extent are the main pollutants released by urban areas collected and treated?

Elements reflecting on the **efficiency** will consider several angles: Has the Directive achieved the expected results in an efficient manner, at MS and EU level? What are the costs and benefits associated with the implementation of the UWWTD and how proportionate are these costs and benefits? What are the main financing, investment and management issues, also with regards to EU funding for implementation? How does compliance with the Directive impact on the affordability of water services? To what extent is the administrative burden incurred by Member States and the Commission through monitoring and reporting mechanisms proportionate?

The **relevance** aspect of the evaluation will focus on the following aspects: To what extent is the UWWTD still relevant to achieve its objectives of the protection of the environment from the adverse effects of waste water discharges? To what extent are the limit values for pollutants still valid? To what extent does the directive encourage/facilitate innovation and adaptation? How are emerging pollutants covered by the Directive? To what extent is the Directive relevant to achieve a circular economy in the EU? How relevant is the Directive in the light of the changing international contexts, such as the Sustainable Development Goals in 2030?⁶

The evaluation of coherence focuses on questions such as: How coherent is the Directive – internally (across its articles); with related EU water legislation; with downstream legislation such as the [Sewage Sludge Directive](#) (86/278/EEC) and/or the Bathing water Directive (76/160EEC)?

The **EU-added value** will be evaluated by investigating the extent to which an EU-level approach is needed to reach the objectives of the Directive and whether the issues addressed by the Directive continue to require action at EU level.

⁴ [Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy](#) and [Directive 2007/60/EC on the assessment and management of flood risks in all available languages \(OJ L288, 6.11.2007, p.27\)](#)

⁵ It has to be taken into account that new and old Member States had different transposition periods. This assessment also includes the Commission Implementing Decision (2014/431/EU) of 26 June 2014 concerning formats for reporting on the national programmes for the implementation of Council Directive 91/271/EEC as well as [Directive 98/15/EC](#) amending the UWWTD and [Decision 2001/720](#).

⁶ Notably Goal 6 "Ensure access to water and sanitation for all" - see [UN SDGs on water and sanitation](#)

B. Better Regulation

Consultation of citizens and stakeholders

The implementation of the Directive concerns a large spectrum of stakeholders, for instance the water service providers and utilities, environmental stakeholders, national, regional and local authorities, academics and scientists, as well as industries emitting pollutants. The consultations as such will be conducted by the Commission or external parties supporting the Commission's work. They aim at collecting stakeholders' opinions to complete and complement the analysis based on other information sources, so as to answer the evaluation questions comprehensively. Therefore, a range of consultation activities are being considered and are expected to include at least:

- 1) an on-line public consultation targeting the general public;
- 2) a conference targeting stakeholders directly involved in the implementation of the Directive;
- 3) specific expert meetings on sub-topics identified during the evaluation;
- 4) direct contact or questionnaires to involve relevant stakeholders and international bodies such as the Organisation for Economic Cooperation and Development, the World Bank or the World Health Organisation.

Once finalised, the consultation strategy outlining all the activities planned will be made available on the Commission's website. A summary report of the feedback gathered through consultation activities will be produced.⁷

Data collection and methodology

The Evaluation will be built upon existing data (see non-exhaustive list below) as well as data that are yet to be collected. The original Directive was not subject to an impact assessment.

The Directive was assessed – albeit not in detail - by the 2012 "[Fitness Check of EU Freshwater Policy](#)" which provides some insights into monitoring, investment needs and implementation plans. Bi-annually published implementation reports⁸, European Court of Auditors special reports and infringement cases provide valuable information. Recent studies on specific topics such as storm overflows will feed into the evaluation⁹ as will other sources such as the recently published impact assessment of the review of the [Drinking water Directive](#), as well as other monitoring and reporting documentation under the above named EU water legislation. The work by the Joint Research Centre on modelling the aquatic environment¹⁰ as well as the forthcoming common work with the Organisation for Economic Cooperation and Development on investment needs in the water sector will also be used in the context of this evaluation.

To assist the analysis, particular effort will be made to collect additional information on the costs and benefits of collecting waste water and different levels of treatment and to assess administrative burden and the impact of funding mechanisms. A variety of sources of data will be used to carry out this analysis – from EU-level to other international institutions such as the European Investment Bank, the Organisation for Economic Cooperation and Development, and the European Environment Agency. It will be completed by inputs from national websites and from stakeholders. Where data is not available in a systematic manner at EU level, the evaluation will revert to the use of case-studies or consider the use of appropriate proxies.

⁷ [Urban waste water Directive overview](#)

⁸ [Implementation of the UWWTD](#).

⁹ [Study on storm water overflows](#); [Study on parameter on chemical oxygen demand \(COD\)](#)

¹⁰ [Blue2 study](#)